

ORDINANCE NO. 950

AT A REGULAR MEETING OF THE VINTON TOWN COUNCIL, HELD ON TUESDAY, APRIL 15, 2014, AT 7:00 P.M., IN THE COUNCIL CHAMBERS OF THE VINTON MUNICIPAL BUILDING, 311 SOUTH POLLARD STREET, VINTON, VIRGINIA.

AN ORDINANCE TO REPEAL IN ITS ENTIRETY CHAPTER 42, FLOODS, VINTON TOWN CODE.

BE IT ORDAINED that the Vinton Town Council does hereby repeal in its entirety Chapter 42, Floods, of the Vinton Town Code.

VINTON TOWN CODE

CHAPTER 42. FLOODS*REPEALED

ARTICLE I.

IN GENERAL

Secs. 42-1—42-20. Reserved.

—ARTICLE II.

FLOODPLAIN MANAGEMENT

Sec. 42-21. Definitions.—

~~The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:—~~

~~*Development* means any manmade change to improved or unimproved real estate including, but not limited to, buildings or other structures, mining, dredging, filling, grading, paving, excavation or drilling operations.—~~

~~*Floodproofed* means watertight with walls substantially impermeable to the passage of water and with structural components having the capability of resisting hydrostatic and hydrodynamic loads and effects of buoyancy.—~~

Mobile home means a structure, transportable in one or more sections, which is eight body feet or more in width and is 32 body feet or more in length, and which is built on a permanent chassis and designed to be used, with or without permanent foundation, when connected to the required utilities. The term includes the plumbing, heating, air conditioning and electrical systems contained therein.

Substantial improvements means any repair, reconstruction or improvement of a structure, the cost of which equals or exceeds 50 percent of the market value of the structure, either before the improvement is started or, if the structure has been damaged and is being restored, before the damage occurred.

(Code 1982, § 8-1)

———— **Cross References:** Definitions generally, § 1-2.

~~Sec. 42-22. Application of article; conflicts with zoning ordinance and subdivision regulations.~~

———— (a) ——— The National Flood Insurance Program provides that the floodplain management measures prescribed in this article shall be applicable in those floodplain areas identified as being inundated by the 100-year flood, as shown in the flood insurance study, as prepared by the Federal Emergency Management Agency for the town. The floodplain area shall be considered an overlay and supplement to the existing zoning map.

———— (b) ——— In case of conflict between the provisions of this article and those contained in the zoning ordinance or the subdivision regulations, or any other chapter of this Code, the more restrictive provisions applicable to the floodplain shall apply. Any change in the delineation in the floodplain will be subject to the review of the Federal Emergency Management Agency.

(Code 1982, § 8-2)

~~Sec. 42-23. General requirements.~~

———— (a) ——— Permits shall be required for all proposed construction and other development, including placement of prefabricated buildings and mobile homes, on properties in any special flood hazard area (i.e., zones A1-30 on the town's flood insurance rate map.) Such permits shall be obtained from those governmental agencies whose approval is required under federal or state law.

———— (b) ——— New construction and substantial improvements, including prefabricated buildings and mobile homes, shall be anchored to prevent flotation and lateral movement and flood-resistant materials and methods shall be utilized in their construction. Each mobile home shall be constructed and anchored in accordance with the provisions of the "Virginia Industrialized Building Unit and Mobile Home Safety Regulations—Part One."

———— (c) ——— Subdivision proposals and proposals for other developments, including their proposed utilities and drainage facilities, shall specify locations and designs consistent with the need to minimize flood damage.

~~—— (d) — All subdivision proposals and other proposed new developments greater than 50 lots or five acres, whichever is less, shall include base flood elevation data.~~

~~—— (e) — New and replaced water and sewer systems, including on-site systems, shall be located and designed to avoid impairment.~~

~~—— (f) — Records of elevations and floodproofing levels for all new or substantially improved structures shall be maintained. Such records shall indicate whether or not such structures contain a basement.~~

~~—— (g) — In riverine situations, adjacent communities and the state coordinating office shall be notified prior to any alterations or relocation of a watercourse. Copies of such notifications shall be submitted to Federal Emergency Management Agency.~~

~~—— (h) — The flood-carrying capacity within the altered or relocated portion of any watercourse shall be maintained.~~

~~(Code 1982, § 8-3)~~

~~Sec. 42-24. Requirements in specific areas.~~

~~The following requirements apply only in those areas specified as follows:~~

~~—— (1) — For new residential structures and substantial improvements of existing structures in zones A1-30, the lowest floor (including the basement) shall be elevated to or above the base flood level, unless an exception for the allowance of basements or storm cellars is granted by the Federal Emergency Management Agency.~~

~~—— (2) — For new nonresidential structures and substantial improvements of existing structures in zones A1-30, the lowest floor (including the basement) shall be elevated to or above the base flood level or be floodproofed to or above the base flood level.~~

~~—— (3) — In zones A1-30, where floodproofing is used in lieu of elevation, a registered professional engineer or architect shall record and certify that the floodproofing methods used are adequate to withstand the forces associated with the base flood or, in lieu thereof, local regulations containing detailed floodproofing specifications which meet the watertight performance standards shall be submitted to the Federal Emergency Management Agency for approval.~~

~~—— (4) — In zones A1-30, for new or substantially improved mobile home parks or subdivisions and for mobile home placement not in existing mobile home parks and subdivisions, stands or lots shall be elevated to or above the base flood level, adequate access and drainage shall be provided and, if applicable, construction standards for elevation on pilings shall be met in accordance with section~~

~~1910.3(c)(5), part II of the Federal Register, Department of Housing and Urban Development, National Flood Insurance Program, October 26, 1976.~~

- ~~— (5) — Any development or encroachment (including fill) which would result in any increase in flood levels during the base flood discharge shall be prohibited within the regulatory floodway.~~
- ~~— (6) — The placement of mobile homes, except in existing mobile home parks or mobile home subdivisions, shall be prohibited within the regulatory floodway.~~
- ~~— (7) — No variance or special exception shall be allowed, if it would cause any rise in flood elevation of the 100-year flood.~~

~~(Code 1982, § 8-4)~~

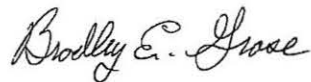
BE IT FURTHER ORDAINED, that this Ordinance shall become effective upon its adoption.

This Ordinance adopted on motion made by Council Member Adams, seconded by Council Member Altice, with the following votes recorded:

AYES: Adams, Altice, Hare, Nance, Grose

NAYS: None

APPROVED:



Bradley E. Grose, Mayor

ATTEST:



Susan N. Johnson, Town Clerk